

contained no ingredient or combination of ingredients capable of producing the effects claimed.

On January 31, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

9120. Adulteration of walnuts. U. S. * * * v. 10 Bags of Walnuts * * *. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 581-C.)

On November 6, 1920, the United States attorney for the District of Maryland, acting upon a report by the Food and Drug Commissioner of Maryland, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 bags of walnuts, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by J. A. Kirsch & Co., Inc., New York, N. Y., and transported from the State of New York into the State of Maryland, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it contained an excessive amount of decomposed nuts.

On December 22, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

9121. Adulteration of canned pie peaches. U. S. * * * v. 275 Cases, 655 Cases, and 400 Cases of Canned Pie Peaches. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. Nos. 8653, 8654, 8655. I. S. Nos. 9527-p, 9528-p, 9529-p. S. No. C-781.)

On December 21, 1917, the United States attorney for the Eastern District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 400 cases, 275 cases, and 655 cases of canned pie peaches, remaining in the original unbroken packages at Chattanooga, Tenn., alleging that the article had been shipped on or about August 21, August 30, and September 12, 1917, by A. J. Evans, Fort Valley, Ga., and transported from the State of Georgia into the State of Tennessee, and charging adulteration in violation of the Food and Drugs Act. The article was variously labeled, "Setter Brand Pie Peaches Packed By A. J. Evans Canning Co. Fort Valley, Ga.," or "Elberta Brand Pie Peaches Packed By Elberta Canning Co. Fort Valley, Georgia."

Adulteration of the article was alleged in substance in the libels for the reason that it consisted in whole or in part of a filthy, decomposed, and decayed substance.

On April 22, 1918, A. J. Evans, Fort Valley, Ga., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to said claimant for the purpose of sorting, upon payment of the costs of the proceedings and the execution of a good and sufficient bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

9122. Adulteration of sugar beet meal. U. S. * * * v. 383 Bags * * * of Sugar Beet Meal. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9290. I. S. No. 15423-r. S. No. E-1106.)

On or about September 11, 1918, the United States attorney for the Southern District of West Virginia, acting upon a report by the Secretary of Agriculture,

filed in the District Court of the United States for said district a libel for the seizure and condemnation of 383 bags, more or less, of sugar beet meal, at Bluefield, W. Va., alleging that the article had been shipped by the Hottelet Co., Milwaukee, Wis., on or about May 18, 1918, and transported from the State of Wisconsin into the State of West Virginia, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that dirt and sand had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality, and had been substituted in part for the article, and for the further reason that the article consisted in part of a filthy vegetable substance.

On May 9, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

9123. Misbranding of Brou's Injection. U. S. * * * v. 3 Dozen Bottles of * * * Brou's Injection. Default decree of destruction. (F. & D. No. 10445. I. S. No. 16216-r. S. No. E-1464.)

On May 29, 1919, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 dozen bottles of Brou's Injection, at Jacksonville, Fla., consigned by E. Fougera & Co., New York, N. Y., alleging that the article had been shipped on or about October 19, 1918, and transported from the State of New York into the State of Florida, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Brou's Injection E. Fougera & Co. New York."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of sulphates and acetates of lead and zinc, opium alkaloids, alcohol, and water.

It was alleged in substance in the libel that the article was misbranded for the reason that the label upon the bottles containing the article and in the booklet accompanying it contained the following statements regarding the curative and therapeutic effects of said article, (bottle) "Hygienic and Preservative Brou's Injection * * *" (French) "Against Runnings or discharges 'Les Ecoulemens' recent or chronic and against 'White Flowers' 'Leucorrhoea,'" (booklet) "Blennorrhagia * * * Blennorrhoea * * * Leucorrhoea * * * or 'White Flowers' 'White Losses,' their treatment * * * Blennorrhagia, Urethral or Gonorrhoea * * * the beginning of Blennorrhagia, * * * have recourse to the use of Brou's Injection * * * treatment par excellence of Blennorrhoea * * * far from producing strictures injections prevent them * * * curing * * * prolonged inflammation of the mucous membranes and its extension to underlying tissues * * * for the cure of all recent and chronic discharges of the urinary organs (Gonorrhoea, Leucorrhoea and Gleet) * * * Brou's Injection * * * a preservative after intercourse with a suspected person," which were false, fraudulent, and misleading in that said article contained no ingredients or combination of ingredients capable of producing the curative and therapeutic effects claimed in said statements above set forth.

On February 3, 1921, no claimant having appeared for the property, judgment was entered finding that the property was subject to condemnation, and it was ordered by the court that the same be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*